THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

WRIT APPEAL No.965 of 2000

3rd April 2006

(Writ Appeal under Clause 15 of the Letters Patent is against the Order dated 04.04.2000 in W.P.No.20241 of 1999 on the file of the High Court.)

Between:

The State of Andhra Pradesh rep. By
Its Secretary, Education Department.,
Secretariat, Hyderabad and another.

Appellants/Respondents.

And

P.Kasi Reddy, S/o Venkata Reddy,
Aged about 41 years, resident of Mahanandi,
Kurnool District and another.

Respondents/Writ Petitioner.

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JUDGMENT: (Per Hon'ble Sri Justice B. Prakash Rao)

Heard the Advocate General appearing for the appellants and Sri B. Adinarayana Rao, the learned counsel for the first respondent and none appeared for the second respondent.

This appeal is at the instance of the State and the Director of School Education against the orders passed by the learned single Judge allowing the writ petition filed by respondent No.1 herein, *inter alia,* seeking to assail the orders of rejection in regard to admitting his post to grant-in-aid as per the impugned proceedings dated 30.03.1999, in spite of the recommendations made by the High Level Committee on 14.02.1994.

The learned single Judge, after contest, allowed the writ petition and set aside the impugned proceedings on the ground that the reason

shown in the impugned proceedings is not valid and therefore, directed to admit the first respondent's post to grant-in-aid and also pay the arrears of salary accordingly.

During the course of arguments, the learned counsel for the first respondent/writ petitioner submits that subsequent to the disposal of the writ petition and pending this appeal, the Government did admit the first respondent's post to grant-in-aid as per the orders in G.O.Rt.No.102, dated 02.09.2000.

It is submitted on behalf of the appellants that the order of rejection was only due to financial stringency as on that day. Since the Government has taken into consideration the petitioner's case subsequent to that date and granted grant-in-aid, no further orders are necessary.

The Appeal is accordingly dismissed. No costs.

B. PRAKASH RAO, J

D. APPA RAO, J

3rd April 2006.
Chvn.